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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	<b>Application Number</b>	09/976,555	
	<b>Filing Date</b>	October 12, 2001	
	<b>First Named Inventor</b>	Peter Goldstein	
	<b>Group Art Unit</b>	2873	
	<b>Examiner Name</b>	R. Mack	
<b>Total Number of Pages in This Submission</b>		<b>Attorney Docket Number</b>	HO-P02306US0

**ENCLOSURES (check all that apply)**

<input type="checkbox"/> Fee Transmittal Form  <input type="checkbox"/> Fee Attached  <input checked="" type="checkbox"/> Response to Office Action Dated 1/15/2003  <input type="checkbox"/> After Final  <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s)  <input type="checkbox"/> Response to Missing Parts/Incomplete Application  <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application)  <input type="checkbox"/> Drawing(s)  <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition  <input type="checkbox"/> Petition to Convert to a Provisional Application  <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address  <input type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> Request for Refund  <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group  <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences  <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)  <input type="checkbox"/> Proprietary Information  <input type="checkbox"/> Status Letter  <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below)  Return postcard
<b>Remarks</b>		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

<b>Firm or Individual Name</b>	FULBRIGHT & JAWORSKI L.L.P. Edward D. Steakley
<b>Signature</b>	
<b>Date</b>	April 9, 2003

**Transmittal**

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#9 PA 4/15/03  
Docket No.: HO-P02306US0  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Peter Goldstein, et al

Application No.: 09/976,555

Group Art Unit: 2873

Filed: October 12, 2001

Examiner: R. Mack

For: CLOSED-LOOP FOCAL POSITIONING  
SYSTEM AND METHOD

**RESPONSE TO OFFICE ACTION DATED 1/15/2003**

Commissioner for Patents  
Washington, DC 20231

Dear Sir:

This paper is submitted in response to the Office Action dated January 15, 2003, for which the three-month date for response is April 15, 2003.

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**REMARKS/ARGUMENTS**

***Status of the Claims***

Claims 1-28 are pending in the application.

Claims 14 and 15 are in condition for allowance. Claims 2 and 12 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claim.

Claims 1, 3-11, 13 and 16-28 are rejected under 35 U.S.C. 102(b) as being anticipated by Kelly et al. (5923473).

No claims have been amended.